

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

SPECTRUM WT, *et al.*,  
Plaintiffs,

v.

WALTER WENDLER, *et al.*,  
Defendants.

Case No.: 2:23-cv-00048-Z

Hon. Matthew J. Kacsmark

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**[PROPOSED] ORDER GRANTING MOTION FOR INJUNCTION PENDING APPEAL**

Before the Court is a *Motion for Injunction Pending Appeal* filed by Plaintiffs Spectrum WT, Barrett Bright, and Lauren Stovall.

Upon consideration of Plaintiffs' opposed Motion, it is hereby ORDERED that the Motion for an Injunction Pending Appeal is GRANTED. It is further ORDERED that:

1. Defendants Walter Wendler, Christopher Thomas, John Sharp ("Defendants"), and their employees, agents, servants, officers, and persons in concert with Defendants, are enjoined from denying Plaintiffs use of campus facilities, including Legacy Hall, on the basis of the anticipated content or viewpoint of Plaintiffs' planned March 22, 2024 drag show performance.
2. Defendants, and their employees, agents, servants, officers, and persons in concert with Defendants, are enjoined from enforcing any of the viewpoint- and content-discriminatory prohibitions on expressive activity contained in President Walter Wendler's March 20, 2023 email titled "A Harmless Drag Show? No Such Thing," when making West Texas A&M University facilities or spaces available to Plaintiffs or other student organizations.
3. Plaintiffs are not required to post a bond for this injunction.

**SO ORDERED.**

February \_\_\_\_, 2024

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MATTHEW J. KACSMARK  
UNITED STATES DISTRICT JUDGE